

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 7-2005)		ATTORNEY'S DOCKET NUMBER CLD-005US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/576741
INTERNATIONAL APPLICATION NO. PCT/EP2003/011821	INTERNATIONAL FILING DATE 24 OCTOBER 2003	PRIORITY DATE CLAIMED 24 OCTOBER 2003
TITLE OF INVENTION LABEL HOLDER FOR TEST TUBES USED IN MEDICAL ANALYSES, PARTICULARLY IN THE ANALYSIS OF THE ERYTHROCYTE SEDIMENTATION RATE (ESR)		
APPLICANT(S) FOR DO/EO/US Renzo Montanari		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 		
Items 13 to 23 below concern document(s) or information included: <ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A power of attorney and/or change of address letter. 19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 22. <input checked="" type="checkbox"/> Express Mail Label No. EV 586785620 US 		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole)</td> <td>RATE</td> </tr> <tr> <td>10 - 100 =</td> <td>0 /50 =</td> <td>0</td> <td>x \$250.00</td> </tr> <tr> <td colspan="4">Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>6 - 20 =</td> <td>0</td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$200.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIMS (if applicable)</td> <td><input type="checkbox"/> +</td> <td>\$360.00</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> </tr> <tr> <td colspan="4"><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.</td> </tr> <tr> <td colspan="4">SUBTOTAL =</td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> </tr> <tr> <td colspan="4">TOTAL NATIONAL FEE =</td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). 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a. A check in the amount of \$ \$450.00 to cover the above fees is enclosed.

b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

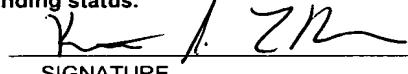
c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1101. A duplicate copy of this sheet is enclosed.

d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

KENNETH J. LUKACHER
 SOUTH WINTON COURT
 3136 WINTON ROAD SOUTH, SUITE 301
 ROCHESTER, NEW YORK 14623


SIGNATURE

Kenneth J. LuKacher

NAME

38,539

REGISTRATION NUMBER

April 21, 2006

DATE

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Renzo Montanari

104576741

CLD-005US

Application No.
N/AFiling Date
Concurrently herewithExaminer
N/ACustomer No.
024,902Group Art Unit
N/AInvention: **LABEL HOLDER FOR TEST TUBES USED IN MEDICAL ANALYSES, PARTICULARLY IN THE ANALYSIS OF THE ERYTHROCYTE SEDIMENTATION RATE (ESR)**

I hereby certify that the following correspondence:

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

21 APRIL 2006*(Date)*Tammy S. Moynihan*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EV 586785620 US*("Express Mail" Mailing Label Number)*

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